



## **VIRGINIA COMMISSION ON YOUTH**

### **Meeting Minutes**

December 15, 2021, 1:00 p.m. to 3:00 p.m.

#### **Attending:**

Senators: Dave Marsden, Barbara Favola, David Suetterlein

Delegates: Rob Bell, Joshua Cole, Karrie Delaney, Elizabeth Guzman, Emily Brewer\* (\*monitored via streaming)

Citizen Member: Chris Rehak

#### **Members Not Attending:**

Delegate: Jay Jones

Citizen Members: Dede Goldsmith, Avi Hopkins

#### **Staff Attending:**

Amy Atkinson, Will Egen

### **I. Welcome and Introductions**

*The Honorable Dave Marsden, Senator, Senate of Virginia*

Senator Marsden welcomed everyone to the meeting, noting that this meeting is the last meeting of 2021. Introductions of the Commission members were made. The audio malfunctioned and virtual participants were not heard, however. Executive Director Amy Atkinson announced that there was a cyber attack on the Legislative Branch of Virginia State Government so there are no supporting documents on the web page as usual. Members of the public who would like copies of today's documents may contact Amy Atkinson to request them to be sent.

### **II. Workforce Development for Foster Care Youth**

*Amy Atkinson, Executive Director, Virginia Commission on Youth*

Amy Atkinson reminded the members that a presentation was provided to Commission members at the last meeting on Workforce Development for Foster Care Youth who have aged-out of foster care. Ms. Atkinson reviewed the ten findings and 13 recommendations with Commission members for improving workforce preparation of foster care youth. Only four written comments were sent in during the public comment period. The comments were so

detailed that they were not summarized but instead included at the end of the decision matrix document provided to Commission members.

Clarification was requested on Recommendation 3 regarding how the local workforce development boards would be able to pay for the job coaches. Ms. Atkinson explained that federal Workforce Innovation and Opportunity Act (WIOA) funds could pay for job coaches.

Senator Marsden asked if there were any public comments in-person or online. No one came forward. Senator Marsden thanked the writers of the four detailed, written public comments for their contribution.

Senator Favola asked Chairman Marsden if the requests for letters could be voted on as one unit and then address the Budget Amendments individually. This was agreeable to Commission members. The motion to approve all recommendations involving letters being sent to respective agencies for actions we would like them to take (Recommendations 2, 3, 4, 7, 8, 9, 10, 13) was seconded, and the recommendations to send letters were adopted.

The next set of Recommendations are Budget Amendments. These recommendations were motioned, seconded, put up for vote and adopted. (1, 5, 6, 11, 12).

#### **Adopted Recommendations:**

Draft and adopted recommendations, including the decision matrix, can be found on the Commission's website under the Meetings tab. The Commission on Youth approved the following recommendations related to this study:

1. Direct the Virginia Department of Social Services, in cooperation with the Virginia Commission on Youth, Department for Aging and Rehabilitative Services, Department of Education, Department of Juvenile Justice, Department of Medical Assistance Services, Department of Behavioral Health and Developmental Services, the Department of Labor, the Virginia Community College System, including the Great Expectations Program, local workforce development boards, the League of Social Services Executives, private providers, and advocacy groups to develop the iFoster Portal or an App with similar functionality to include Virginia- and locality-specific resources that are available for individuals who are currently being served or have been served in the foster care system, as well as for professionals serving the foster care population. Resources include workforce development assistance, educational opportunities, housing and living stipends or discounts, financial supports, internship and employment opportunities, and other resources that are available in Virginia for those involved in the foster care system. Update the App regularly with additional resources that are available to assist in the development of becoming a successful and independent adult. Ensure that all state and local agency employees working with foster care children join and use the iFoster App with their foster care clients, assist foster care youth in subscribing to the App themselves, and remain current with newly added or updated resources.
2. Request the Virginia Social Services System (state and local departments of social services), through its regional and local offices, to identify workforce development organizations (such

as Goodwill, Virginia Department of Labor and Industry's Apprenticeship Program, Great Expectations, etc.) and other foster care transition support resources in each locality, add them to the iFoster App, and communicate those opportunities to the local agencies on at least an annual basis.

3. Request that local workforce development boards recruit and engage potential employers who hire foster care young adults and alumni in training that includes the effects of trauma, related child care issues for parenting youth, and gradual accountability strategies for employment success. Encourage employers to work through challenges on work attendance and productivity with external job coaches to support workers in finding success.
4. Request the Workforce Innovation and Entrepreneurship Center to provide support for foster care young adults and alumni who need business assistance. Those working with young adults in the foster care system who are interested in starting their own businesses should connect the young adults to VWIEC.
5. Introduce a budget amendment to develop a state-funded grant program for the Great Expectations Program. The Virginia Community College System (VCCS) shall develop the grant program to provide a range of funding for Community Colleges in the following areas: the hiring of college coaches or mentors; housing stipends; child care; and transportation needs. VCCS shall report to the Commission on Youth the outcomes of the grant program by November 30 of each year.
6. Introduce a budget amendment to direct the State Council of Higher Education for Virginia (SCHEV) to examine the feasibility of having a point of contact at each state and/or private college and university for those who have been involved in the foster care system. SCHEV shall investigate the possibility of using federal dollars (such as the Gaining Early Awareness and Readiness for Undergraduate Programs) for this purpose and report their findings to the Commission on Youth by November 30, 2022.
7. Request that the Virginia Department of Education (VDOE) provide virtual training for school counselors that includes trauma informed strategies for those working with students experiencing foster care, resources available with the iFoster App, and the importance of knowing these students and providing consistent checks and support. The Commission also requests that the VDOE partner with the Virginia Alliance for School Counseling (VASC) and the Virginia Department of Social Services to develop this training.
8. Request that the Virginia Department of Education (VDOE) issue a memorandum that provides guidance to local school divisions regarding resources for school counselors on providing supports for students experiencing foster care, including the requirements of completing an interest inventory, the Career Connections course, and the Academic and Career Plan, as well as the updated guidance for the *Profile of a Virginia Graduate* (which establishes multiple paths toward college and career readiness for students to follow in the later years of high school, which could include opportunities for internships, externships, and credentialing). This guidance will also include resources on leveraging existing data and information on various career fields, job trends and salaries, and resources available to local school divisions from the Weldon Cooper Center and how to specifically support foster care youth and link to specific resources (such as the iFoster App, Fostering Futures, Great

Expectations, successful independent living programs, etc.).

9. Request that the Virginia Social Services System (VDSS and LDSS) review their requirements for foster care Independent Living programs in Virginia and include a gradual independence plan that includes these Standards of Completion. Quality Independent Living programs ensure that the youth are knowledgeable and have practical application experience with budgeting, housing solutions, job expectations, emotional regulation and management skills, transportation and health care options, communication skills, and problem-solving in the real world. Ensure each LDSS has a workforce development plan.
10. Request that Virginia Career Works, through the local workforce boards, prioritize and promote serving the foster care population with WIOA funding and other workforce development opportunities.
11. Direct the Virginia Department of Social Services to convene a stakeholder group to determine the feasibility of adopting a new uniform assessment tool in determining the enhanced payments for children in foster care with additional needs. The stakeholder group shall consist of representatives from the Department of Social Services, Department of Behavioral Health and Developmental Services, Office of the Children's Services Act, Office of the Children's Ombudsman, private providers, licensed child placing agencies, local departments of social services, foster parents, and advocacy groups. The stakeholder group shall investigate ways to provide more flexibility regarding the foster care payment to address a wide variety of needs for hard to place children, including financial incentives for serving these children, and develop ways to ensure accurate documentation. Consideration should be given to current assessment tools used in determining a child's needs such as the Child and Adolescent Needs and Strengths (CANS) tool.
12. Introduce a budget amendment to support the development and implementation of a statewide driver's licensing program to support foster care youth in obtaining a driver's license. Funding shall be made available to local departments of social services to reimburse foster care providers for increases to their existing motor vehicle insurance premiums that occur because a foster care youth in their care has been added to their insurance policy. The program may also reimburse foster care providers for additional coverage (i.e., an umbrella policy or the equivalent) that provides liability protection should a foster care youth get into or cause a catastrophic accident. Additionally, funding shall be made available to foster care youth in Virginia's Fostering Futures Program to assist in covering the cost of obtaining motor vehicle insurance. The Department of Social Services shall develop reimbursement policies for foster care providers and foster care youths. The Department shall coordinate and administer the driver's licensing program based on best practices from similar programs in other states, to include developing educational or training materials that educate foster parents, private providers, and foster youths about (1) liability issues, insurance laws, and common insurance practices (to include laws about renewal and cancellation, how long an accident can affect premiums, how to establish that a foster youth is no longer living in the residence, and other applicable topics); (2) DMV requirements to obtain a learner's permit and driver's license; (3) what funding and resources are available to assist in this process, to include paying school lab fees for "Behind the Wheel" or paying a private driver education company; and (4) why getting a driver's license on time is important for normalcy and a successful transition to adulthood. The Department shall provide information on how many

foster care youths were supported by this program and any recommendations to improve the program to the Governor and Chairs of the House Appropriations and Senate Finance Committees by November 30 each fiscal year.

13. Request foster care workers and others working with youths experiencing foster care to identify child care resources for their parenting youths. Ensure that youths aging out of foster care are placed on the local child care assistance program waiting list prior to aging out of care.

Senator Marsden thanked the co-chairs of the Advisory Group on Workforce Development for Foster Care Youth, Senator Barbara Favola and Delegate Emily Brewer, for their herculean effort and leadership. Senator Favola agreed that she and Delegate Brewer made a great team.

### **III. JLARC Report of Virginia's Juvenile Justice System**

*Valerie Boykin, Director, Department of Juvenile Justice*

Director Valerie Boykin thanked the Commission for the opportunity to address the findings of the JLARC Report. The JLARC Report provided a list of improvements needed within Juvenile Justice. The Department of Juvenile Justice (DJJ) is a complicated system with many external parts and players. DJJ is still plowing through the 160 plus pages of the Report. Local detention centers are operated by localities or locally-run commissions, not the DJJ. Practices for intake and diversion, probation reform, evidence-based practices, good risks and needs assessments, interventions that kids are responsive to, and transformation updates are all areas of concern and evidence that Virginia still has work to do.

Director Boykin clarified that DJJ is one of many contributors to Virginia's juvenile justice system. DJJ agrees with several of the JLARC recommendations. Transformation efforts began with the 2016 report to the General Assembly and much more work needs to be done. JLARC looks at 10-year trends. Ms. Boykin is proud of the progress made thus far, moving from a system that relied heavily on punishment as a response to juvenile delinquency to a more balanced approach of rehabilitation and public safety, while holding youth responsible for their behavior.

Ms. Boykin provided highlights of the JLARC Report recommendations. Virginia needs to do a more thorough job of reassessing the needs of youth and treating more youth in homes rather than in communities. When Ms. Boykin started with DJJ, there were 600 youth in state care. Today, there are less than 200 in state care; however, 86% have committed violent person felonies. These youth need some time away from home to get their attention in a different way and to work on therapeutic interventions. Through this transformation, DJJ has started family-based interventions with multi-systemic and functional family therapy in 129 of 133 localities across the Commonwealth. Youth come to DJJ from families and neighborhoods that are struggling with issues so not only does DJJ need to treat the child, but also touch the family component and strengthen community resources. The goal is always positive youth development outcomes understanding that each youth has unique needs. This takes a while to train and recruit the right staff and learn new strategies. DJJ is committed to solving the challenges methodically.

Some of the JLARC recommendations that are underway include the following:

- Monitoring school-based offenses and racial disparities (SB 3, 729) and evaluating and improving practices across programs.
- Improving contracts with Child Trends regarding continuum of care (regional service delivery model) with 138 services across Virginia.
- Looking at comprehensive reentry programs, including aggression replacement training and other. Consulting with Vanderbilt University on DJJ's STEP evaluation program and other programs to be sure to deliver the best programs that youth respond to.
- Creating a Successful Transitions Work Group to implement more effective practices to transition youth back to their home.

Ms. Boykin thanked the Commission for the opportunity to share this information.

Senator Marsden thanked Director Boykin for the informational response to the JLARC Report. He reminded everyone that in 1997, Virginia had 3,000 youth incarcerated and now there are only 700 or less youth in combined facilities. Virginia's methods shifted from trying to teach kids lessons and instead trying to help the youth and solve the root problems through risk assessments. Many students are now being safely kept at home with mental health and other interventions from the community with less than 200 youth in commitment facilities (compared to 1,500 in 2001-2002). Today Virginia has tougher kids with more acute issues but there are fewer young people in juvenile detention than there were years ago. Senator Marsden thanked JLARC for recommending improvements and recognizing things Virginia is doing well.

Senator Favola requested to find out how many communities refer youth to detention facilities because they don't have local resources to serve them in home communities, either in school or family settings. Ms. Boykin said that the Diversion Unit at DJJ was starting to work with localities, court services, and the Virginia Community Crime Control to assess community resources. They will do a full analysis; start shifting focus to pull in private providers, law enforcement, citizen groups, faith-based groups, community partners, etc.; and do a gap analysis to build upon resources for restorative work.

Delegate Bell asked for more detail on recidivism rates since a high percentage of first offenders are re-convicted within 2-3 years. The aggregated data can be concealing. It would be helpful to know what charges and the severity of the crimes that are putting these youth back in juvenile detention a second time so that their issues can be addressed in a more effective way. Delegate Bell asked for the percentage of how many crimes against persons do not go to detention--end up in probation or diversion. While DJJ has a breakdown of young people on probation vs. commitment, Ms. Boykin explained that DJJ does not have access to easily report the specific re-entry causes; it would be a labor-intensive process to capture this information. DJJ uses aggregated recidivism data from the State Police in their Research and Quality Assurance Units.

Senator Marsden explained that intakes are way down due to a more sophisticated means to screen the youth and supervise them in the community with monitoring. The JLARC report was a good assessment of our system—the good, the bad and the promising.

Delegate Delaney is concerned about the quality of programming after the initial intake assessment. Some communities may have better mental health providers and we need to ensure we are implementing behavioral programming that is consistent, evidence-based programming. Delegate Delaney asked to know what type of programming is provided. Length

of stay needs to correlate with clinical findings for the type of intervention that is required for their best chances of rehabilitation and to ensure we are implementing rehabilitative programming. Director Boykin explained that this is a national issue. DJJ continues to search for the best clinical plan that is responsive to all youth.

Senator Marsden reminded members that while Virginia has less than 200 youth who are committed, there are 35 youth serving an adult sentence, but the advantage is that they are receiving education and treatment. These youth transitioning to the adult penitentiary will have a better shot at a successful life.

#### **IV. Update from The Virginia Children's Cabinet**

*First Lady Pamela Northam*

Senator Marsden introduced First Lady Pamela Northam, Chair of Virginia's Children's Cabinet. Since January 2013, Mrs. Northam has led efforts to increase access to quality early childhood care and education.

Mrs. Northam thanked the Commission members for the critical work they do for children, our future leaders. She explained that by Executive Order, the Departments of Education, Health and Human Resources, Agriculture and Forestry, Public Safety and Homeland Security were brought together to work on improving our early childhood system in Virginia.

Mrs. Northam expressed how proud she is of incredible work and progress the Children's Cabinet has made about food security, early childhood education, maternal and infant health, student safety in schools, and trauma-informed care. Working groups of dedicated community advocates and experts provided input and are a strategic part of this work.

First Lady Northam summarized in detail the Children's Cabinet work on the following issue areas: Early Childhood Development, Home Visiting Programs, Maternal Health, Nutrition and Food Security, and Systems of Care and Safety for School-Aged Youth.

Following First Lady Northam's presentation Senator Favola asked what single thing the General Assembly can do to continue the Children's Cabinet. Mrs. Northam responded that funding is needed for three main things: to continue the Children's Cabinet into the next administration, to address education deficits, and to increase teachers' salaries above the national average.

Delegate Guzman and Delegate Cole thanked the First Lady for her partnership and attention to children and the many visits to their districts. Senator Marsden thanked First Lady Pamela Northam for the thorough update.

#### **V. Education and Consolidation of Local and Regional Detention Centers**

*The Honorable Dave Marsden, Senator, Senate of Virginia*

Senator Marsden proposed a resolution, as amended, to consolidate detention homes. He explained that during the 2020 study year, the Virginia Commission on Youth (VCOY) conducted a study on regional and local detention centers. Many findings from the study were the same as the recommendations from the JLARC study. Education and operating costs per child have

drastically skyrocketed because there has been a decrease in juveniles. Underutilization of detention beds is addressed in both studies with about 70% of the beds not used since 2019. There are 24 juvenile detention centers and facility costs keep increasing. Virginia pays approximately \$130M per year for 500 or less young people. It would make sense to consolidate the juvenile detention homes to be more efficient.

Delegate Bell suggested that the resolution be edited by removing and adding some items. Senator Marsden explained that the Virginia Commission on Youth staff would conduct the study and focus on costs per child, including facility maintenance and staffing costs.

Senator Marsden suggested that the Commission members vote on the general concept of consolidating detention centers in order to move forward with the budget language and he would shepherd the proposal through the legislature. Senator Favola suggested this budget language:

*The Commission on Youth shall establish an Advisory Committee to evaluate the effectiveness and efficiency of our current detention center system, evaluating the intersection of public safety and rehabilitation of our youth.*

Delegate Bell seconded the motion. The motion was adopted.

## **VI. Election of Chair and Vice Chair**

Senator Marsden reminded the members that this is his last meeting as Chair of the Commission. He explained that an election for the Chair and Vice-Chair needs to happen before the meeting is adjourned. Senator Marsden thanked the Commission members for their efforts during the past two years. Senator Favola thanked Senator Marsden for his wonderful leadership.

Senator Favola nominated Delegate Emily Brewer to be the new Chair of the Commission on Youth. The motion was seconded. The motion was adopted unanimously.

Delegate Delaney nominated Senator Favola to be the Vice-chair of the Commission on Youth. The nomination was seconded. The motion was adopted unanimously.

## **VII. Adjourn**

Senator Marsden thanked everyone for their continued service to the Commission on Youth. The meeting was adjourned at 3:11 P.M.

The video of this meeting can be found at the following link: [Meeting Video Archive](#)